



# **CITY COUNCIL AGENDA REPORT**

MEETING DATE: September 16, 2008

ITEM NUMBER: **VI-9**

SUBJECT: Biennial Review of the City's Conflict of Interest Code

DATE: September 3, 2008

FROM: City Manager

PRESENTATION BY: Julie Folcik, City Clerk

FOR FURTHER INFORMATION CONTACT: Julie Folcik, City Clerk (714) 754-5221

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## **RECOMMENDATION:**

Adopt Resolution updating the City's Conflicts of Interest Code's list of designated employees.

## **BACKGROUND:**

As required by the Political Reform Act every local agency is to review its conflict of interest code biennially to determine its accuracy. As referenced in the City's Conflict of Interest Code (Costa Mesa Municipal Code Section 2-401) a resolution may be adopted to update the list of "designated positions and employees" who are deemed to make, or participate in making, decisions that may foreseeably have a material financial effect on economic interest of the employee.

## **ANALYSIS:**

A review of the City departments was recently conducted to determine the changes that must be made to the list of designated employees who are required to file the annual conflict of interest forms. It was determined that there were no changes reported for the City Manager's Office, City Attorney's Office, Finance, Police and Public Services departments. For the departments of Administrative Services, Development Services and the Fire Department there were seven positions that were deleted, three titles were added and three position titles that were revised. This Resolution (Exhibit A) updates the list of designated employees pursuant to Section 2-401 of Title 2, Chapter X, of the Costa Mesa Municipal Code.

**ALTERNATIVES CONSIDERED:**

Since State law requires updating the list of designated employees, there is no alternative to this requirement.

**FISCAL REVIEW:**

There is no fiscal impact.

**LEGAL REVIEW:**

This report and resolution was reviewed and approved as to form by the City Attorney.

**CONCLUSION:**

As required by the Political Reform Act a bi-annual review was conducted of the City's conflict of interest code. It is requested that the Council adopt this Resolution which appropriately updates the list of designated employees required to file under the established provisions.

  
\_\_\_\_\_  
JULIE FOLCIK

City Clerk

  
\_\_\_\_\_  
ALLAN ROEDER

City Manager

DISTRIBUTION: Allan Roeder, City Manager  
Thomas R. Hatch, Assistant City Manager

ATTACHMENT: 1. Resolution revising the List of Designated Positions for the City's Conflict of Interest Code.

RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF COSTA MESA, CALIFORNIA, REVISING THE LIST  
OF DESIGNATED POSITIONS FOR THE CITY'S  
CONFLICT OF INTEREST CODE.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS  
FOLLOWS:

WHEREAS, pursuant to the California Political Reform Act of 1974 every city is  
required to adopt a conflict of interest code and Costa Mesa has adopted its conflicts  
code, which appears in Costa Mesa Municipal Code Title 2, Chapter X; and

WHEREAS, the Conflict of Interest Code contains a list of City officials and  
employees called "designated employees" whose positions involve the making or  
participation in the making of decisions that may foreseeably have a material financial  
effect on an economic interest of the employee; and

WHEREAS, the Conflict of Interest Code is required to be amended from time to  
time to incorporate new state law requirements and update the list of positions of  
designated employees; and

WHEREAS, the City's Conflict of Interest Code now needs to be amended to  
update the list of designated positions.

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BE IT RESOLVED that the Costa Mesa City Council hereby amends the list of designated positions shown on Appendix "A" with the new, revised Appendix "A" that is attached hereto and incorporated herein.

PASSED AND ADOPTED this 16th day of September, 2008.

\_\_\_\_\_  
Eric R. Bever, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Julie Folcik, City Clerk

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Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF COSTA MESA )

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that foregoing is the original of Resolution No. \_\_\_\_ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 16<sup>th</sup> day of September, 2008, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this \_\_\_\_ day of September, 2008.

\_\_\_\_\_  
JULIE FOLCIK, CITY CLERK

(SEAL)

## APPENDIX A

The term "Designated" refers to employees or officials, set forth by position or job classifications, and are intended to include one or more persons where one or more appointments have been or will be made to a classification/position. A designated employee or official, for the purpose of this resolution, and in compliance with the City's Conflict of Interest Code (Costa Mesa Municipal Code Section 2-401, et al) shall include a spouse and immediate members of the family. Any person hired or promoted into a job classification included in this resolution shall become a designated employee for the purpose of the City's Conflict of Interest Code without further action of the City Council.

### **DEPARTMENT/POSITION TITLES**

### **REPORTING CATEGORY**

#### **Administrative Services Department**

Administrative Services Director	All
Management Information Services Manager	All
Telecommunications Manager	All
Recreation Manager	All
Human Resources Manager	All
Risk Administrator	All
Human Resources Administrator	All
Human Resources Analyst	All
Principal Human Resources Analyst	All
Management Analyst	All

#### **City Attorney's Office**

Assistant City Attorney	All
Deputy City Attorney	All

#### **City Manager's Office**

Assistant City Manager	All
Legislative and Public Affairs Manager	All
Neighborhood Improvement Manager	All
Management Analyst	All
CDBG/HOME Coordinator	All
City Clerk	All

#### **Development Services Department**

Development Service Director	All
Assistant Development Services Director	All
Planning and Redevelopment Manager	All
Principal Planner	All
Senior Planner	All
Associate Planner	All

Assistant Planner	All
Building Official	All
<del>Chief Building Inspector</del>	<del>All</del>
<del>Senior Building Inspector</del>	<del>All</del>
Building Inspector	All
<del>Chief Electrical Inspector</del>	<del>All</del>
Senior Electrical Inspector	All
<del>Chief Plumbing /Mechanical Inspector</del>	<del>All</del>
Senior Plumbing /Mechanical Inspector	All
<del>Electrical Inspector</del>	<del>All</del>
Chief Plans Examiner	All
Plan Checker	All
Code Enforcement Officer	1 & 4
Plan Checker (consultant)	All
Chief of Inspection	All
Chief of Code Enforcement	All
Building Technician I & II	All
<del>Combination Inspector</del>	<del>All</del>
<u>Combination Building Inspector</u>	<u>All</u>
Plan Check Engineer	All
Plan Review Consultants	All
Management Analyst	All
<u>Permit Processing Specialist</u>	<u>All</u>

#### **Finance Department**

Assistant Finance Director	All
Budget Research Officer	All
Accounting Supervisor	All
Purchasing Supervisor	All
Buyer	All
Revenue Supervisor	All
Revenue Investment Specialist	All
Grant Administrator	All
Tax Auditing Specialist	1&4
Business License Inspector	1&4

#### **Fire Department**

Fire Chief	All
Deputy Fire Chief	All
Battalion Chief	All
<del>Fire Division Chief/Fire Marshal</del>	<del>All</del>
<u>Deputy Fire Chief/Fire Marshal</u>	<u>All</u>
Fire Protection Analyst	All
Management Analyst	All
Hazardous Materials Specialist (Consultant)	All

#### **Police Department**

Police Chief	All
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Police Captain	All
Police Administrative Services Commander	All

#### **Public Services Department**

Director of Public Services	All
City Engineer	All
Senior Engineer	All
Transportation Services Manager	All
Construction Inspector	All
Chief Construction Inspector	All
Assistant Engineer	All
Associate Engineer	All
Maintenance Services Manager	All
Fairview Park Plan Administrator	All
Facilities and Equipment Supervisor	All

#### **Commissions**

Parks and Recreation Commission	All
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